

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

AL M. WILLIAMS,

§

Plaintiff,

§

v.

§

LADERA APARTMENTS, et al.,

§

Defendants.

§

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§

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Civil Action No. 4:21-cv-154-SDJ-KPJ

ORDER

Pending before the Court is Plaintiff Al M. Williams’ (“Plaintiff”) Motion to Urge Emergency Injunction (the “Motion”) (Dkt. 10). In the Motion, Plaintiff requests the Court reset its hearing on his Amended Request for Emergency Injunction (Dkt. 6) from March 5, 2021 to today, March 1, 2021. *See* Dkts. 9, 10. Plaintiff states he is unable to attend the March 5, 2021 hearing due to a recent death in his family as a result of COVID-19. *See* Dkt. 10.

While the Court sympathizes with Plaintiff’s personal circumstances, the Court notes that Plaintiff has not explained why a hearing must be set for today on such short notice, rather than another day. Setting an *ex parte* hearing for this afternoon is a drastic measure. The Court finds such a measure is not warranted given that the writ of possession to evict Plaintiff, the requested basis for emergency relief and subject to be discussed on March 5, 2021, is not to be executed on Plaintiff’s premises until March 17, 2021. *See* Dkt. 5.

Upon consideration, the Court finds Plaintiff’s Motion (Dkt. 10) is hereby **DENIED**.

So ORDERED and SIGNED this 1st day of March, 2021.



KIMBERLY C. PRIEST JOHNSON
UNITED STATES MAGISTRATE JUDGE